

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

**THOMAS BEARUP JR., et al.,**

**Plaintiffs,**

**v.**

**CINTAS CORP. NO. 2**

**Defendants.**

**CASE No.: 1:21-cv-00151**

**Honorable Matthew W. McFarland**

**PLAINTIFFS' MOTION FOR LEAVE TO ADD NEW PLAINTIFFS  
TO THE CLASS ACTION COMPLAINT**

Plaintiffs and class representatives Thomas Bearup Jr., et al., on behalf of themselves and all others similarly situated (collectively the "Plaintiffs"), by their attorneys, seek leave to add new plaintiffs to the Class Action Complaint. In support of this Motion, Plaintiffs state:

1. On August 21, 2020, Plaintiff Thomas Bearup Jr., individually and on behalf of all others similarly situated, filed their Class Action Complaint against Defendant Cintas Corp.
2. On October 20, 2020, Plaintiffs Thomas Bearup Jr., Antonia (Tonya) Osborne, and Sonia Bottona, on behalf of themselves and all others similarly situated, filed their First Amended Class Action Complaint against Defendant Cintas Corp. and Defendant Cintas Corp. No. 2, and included an Appendix A of an additional twenty-two (22) new plaintiffs.
3. On March 4, 2021, Plaintiff's Motion for Voluntary Dismissal of Defendant Cintas Corp. was granted, leaving Defendant Cintas Corp. No. 2 as the sole Defendant.

Additionally, Defendant's Motion to Transfer to the District Court for the Southern District of Ohio was granted.

4. Since the filing of the First Amended Class Action Complaint, Plaintiffs' counsel has been retained by fifty-eight (58) prospective plaintiffs who have asked to join this lawsuit. See Exhibit 1, the First Amended Appendix A of the all known plaintiffs, collectively.
5. The Federal Rules of Civil Procedure permit the court to freely add parties. Fed.R. Civ. P. 21 states that "the court may at any time, on just terms, add or drop a party." Fed. R. Civ. P. 15 states that "a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires."
6. The Motion does not modify or alter any substantive allegation in the complaint. It only increases the number of plaintiffs in the case, as it had already been done before in the First Amended Complaint with no objections from opposing counsel.

WHEREFORE, Plaintiffs respectfully request that the Court enter an order allowing these fifty-eight (58) prospective plaintiffs to join the case.

Dated: April 13, 2021

Respectfully submitted,

/s/ David B. Levin  
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**CERTIFICATE OF SERVICE**

I certify that on April 13, 2021, I electronically filed the foregoing using the Court's CM/ECF system. Electronic notification will be sent to all parties/attorneys of record by operation of the Court's electronic filing system.

/s/ David B. Levin  
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